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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR .	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,385	01/26/2005	Shinya Nakaoka	P70376US0	8004
136 7590 02/05/2007 JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W.			EXAMINER	
			LEE, GILBERT Y	
SUITE 600 WASHINGTO	N. DC 20004	•	ART UNIT	PAPER NUMBER
		•	3673	
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		•	02/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/522,385	NAKAOKA ET AL.	
Examiner	Art Unit	
Gilbert Y. Lee	3673	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY EN ED 19_10s.neary 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. ☑ The reply was flied after a final rejection, but prior to or on the same day as filing a Notice of Appeal, To avoid abandonment of this application, applicant must timely file one of the following registers (?) an amendment, affidavit, or other evidence, which has applicated to no-condition for allowance; (?) a Notice of Appeal (with appeal feet) in compliance with 37 CFR 1.14. The reply must be filed within one of the following time periods: a) ☑ The period for reply expires 3 months from the mailing date of the final rejection. b) ☐ The period for reply expires and (1) the mailing date of the final rejection. Examiner Note: If box is checked check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST. ALL EXPLICATION See MEEP 706. See MEEP 706. See MEEP 706. The CREATE ACT of the final rejection are been filed in the date for purposes of determining the period of checked and on the filed septicition. Purpose of the date for purposes of determining the period of checked and on the filed section of the filed sections of the ender 37 CFR 1.13(a) is calculated from (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as tell forth (ii) above, if checked. Any reply received by the Office later than inthe endormal and the purpose of the filed action; or (2) as tell forth (ii) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, any reply and the purpose of the filed and filed action; or (2) as the filed of Appeal was filed on	
1. ☑ The repty was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one or the following repties: (1) an amendment, affidavit, or the vidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.114. The repty must be filed within one of the following time periods: a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The repty must be filed within one of the following time periods: The period for repty expires 3 months from the mailing date of the final rejection. The period for repty expires on: (1) the mailing date of the final rejection. Examiner Note: if box 1 is checked, check either box (a) or (b) ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MEPE 7506 (7/1). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension tender 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply enginally set in the final rejection, where we have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The ander 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.137(a) is calculated from: (1) the expiration date of the shortened statutory period for reply enginally set in the final office action; or (2) as set forth in (b) above, if checked. Any repty reverselve the three months after the mailing date of the final rejection, even it timely filed any repty end by the Office later than three months after the mailing date of the final rejection, even it timely filed any repty and the part of the date of filing a brief, will not be entered because a filed within the time period set forth in 37 CFR 41.37(a). MINIONE OF APPEAL MENDMENTS The proposed amendment(s) file	The MAILING DATE of this communication appears on the cover sheet with the correspondence address
this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the 'application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 41.114. The reply must be filed within one of the following time periods: a) The period for reply expires 3 months from the mailing date of the final rejection. b) The period for reply expires and: (1) the mailing date of the final rejection, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: (1box 1s checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely flied, may reduce any earned patent term adjustment. See 37 CFR 1.70(a). NOTICE OF APPEAL C) The Notice of Appeal was filed on	THE REPLY FILED 19 January 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
a) The period for reply expires 3. months from the mailing date of the final rejection. b) The period for reply expires on (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Motic: It box: 1 is checked, check either box (a) or (b), ONLY-CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO (b) THE FIRST REPLY WAS FILED WITHIN TWO (b) or (b) or (c) only (c) or (c), ONLY-CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO (b) or (b) or (c) or	this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following
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TWO MONTHS OF THE FINAL REJECTION. See MPÉP 766.07(). Extensions of time may be obtained under 37 CFR 1.136(a) and the appropriate extension fee have been flied is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been flied is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been flied is the date for purposes of determining the period of extension and the corresponding amount of the final rejection, even if timely flied, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). MOTICE OF APPEAL 2. The Notice of Appeal was filled on A brief in compliance with 37 CFR 41.37 must be filled within two months of the date of filling the Notice of Appeal was filled on A brief in compliance with 37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filled, any reply must be filled within the time period set forth in 37 CFR 41.37(a). 3. The proposed amendment(s) filled after a final rejection, but prior to the date of filling a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet; (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.116 and 41.33(a)). 5. Applicant's reply has overcome the following rejection(s):	no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
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filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. Amendment of the proposed amendment of the date of filing a brief, will not be entered because (a) they raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) elected to: Claim(s) withdrawn from consideration: Claim(s) withdrawn from consideration: Claim(s) withdrawn from consideration: See 37 CFR 1.116(e). Claim(s) rejected: 1-10. Claim(s) objected to: Claim(s) objected	
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SUPERVISORY PATENT EXAMINER	

TECHNOLOGY CENTER 3600

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: The amendment to claim 1, "so that an inner circumferential surface...the second end part on the other side of the separation portion" is considered to raise new issue and would require further consideration by the examiner..